

friend from Virginia just raised this little issue about the Internet tax, and nobody is suggesting we tax the Internet. We will save that for another day. We can have another date—just the two of us—on that subject. We need to do that based on facts.

I will say that I think this is a good exchange of views. My colleague from Arizona and I, with our caucuses, have created an opportunity—and we will try to do this each month—which allows us to exchange views on specific subjects. I think it merits additional opportunities in the Senate, and I will be pleased in the coming months when we are in session to work with my friend, Senator KYL, to find additional topics and debaters and to further advance discussions on public policy in our country.

I yield the floor.

Mr. KYL. Mr. President, I, too, thank our four debaters this evening, and especially my colleague from North Dakota, Senator DORGAN. He and I chair the policy committees of our respective conferences. We decided that too much of our debate in this body wasn't very civil or very much in the way of debate because we were frequently talking to an empty Chamber. We basically were talking past each other rather than engaging with each other.

The best way for the American people to understand our different philosophies and actually test ideas was to see us in a situation in which, like tonight, you saw questions being asked of each other and the responses being given at that same period, the rebuttals and the replies in proximity to each other, so that these ideas could be evaluated in a context of real meaning, rather than the way the debate frequently occurs here. That is not to denigrate our colleagues in the way we conduct other debates, but we think that by having this kind of an opportunity, we will not only elucidate particular issues, as was done this past week, but we can work together as friends and colleagues and bring out the best ideas and participate in debate of the kind that was originally contemplated in this Chamber.

Again, I thank the debaters. As was indicated, we intend to do this about once a month, and we hope everybody will tune in again. With that, I think we have a wrap-up request.

For the time being, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REAL MEDICARE REFORM IS POSSIBLE WITHOUT OBSTRUCTIONISM

Mr. McCONNELL. Mr. President, for 3 continuous days last week we focused

on the obstructions imposed over the past year against President Bush's circuit court nominees by the Democratic minority in the Senate. The Senate obstructionism has claimed victims, and unless we break their holds, more highly qualified legal scholars will be lost due to their ongoing obstructionism.

Obstructionism is not just for judges anymore. It has been used also against the Healthy Forests Act, a bill that was approved while the southern California fires raged on but was subjected to obstructionism by a minority when it was time to go to conference.

Now our seniors are on the verge of receiving a new Medicare prescription drug benefit unless the Senate chooses to obstruct it. After 38 years of broken promises, a real Medicare drug benefit is right around the corner. Opponents claim that reforms in the Medicare conference are too great and the spending too little. I disagree. Seniors have waited too long and this bill does too much for it to be subjected to obstructionism.

As I indicated a moment ago, after 38 years of broken promises our seniors will finally get a Medicare drug benefit unless the Senate obstructs it. After 38 years of delay, help can begin in as soon as 6 months unless the Senate obstructs it.

Looking at the second chart, this Medicare bill will provide unprecedented resources for seniors' prescription drug benefits, almost one and a half times what President Clinton proposed and a third more than Senate Democrats wanted just 2 years ago, and we will have all of this unless the Senate obstructs it.

Looking at the third chart, the Medicare bill will cover nearly all prescription drug costs for low-income seniors—nearly all prescription drug costs for low-income seniors. This is a terrific deal for our low-income elderly in America. We will have this unless the Senate obstructs it.

This Medicare bill will cover nearly all catastrophic drug costs for seniors with high drug bills—nearly all catastrophic costs for seniors with high prescription drug bills. Let me say that again. This Medicare bill will cover 95 percent of catastrophic costs for seniors with high prescription drug bills. This is a good deal for America's seniors and we will have this unless the Senate obstructs it.

The Medicare bill will give seniors unprecedented choices. All of these new choices in yellow on this chart are choices that are not available to seniors today. Senior will have all of these new choices, both the drug plan as well as comprehensive health plans with choices that Federal workers currently enjoy, unless the Senate obstructs it.

The Medicare bill will use competition to stop waste and abuse and give seniors group purchasing power. A specialty cane that Medicare pays \$44 for is purchased by the VA for \$15. That waste of Medicare and retirees' money will stop unless the Senate obstructs it.

This is a picture of that cane, for which Medicare currently overpays, that the VA can get for a mere \$15. Medicare pays \$44. All of this kind of waste will stop unless the Senate obstructs this bill.

The Medicare bill will protect seniors by keeping the drug benefits both available and voluntary. Let me just say that again. This Medicare bill will keep seniors' drug benefits both voluntary and available. Retirees can keep what they have or get help to maintain their employer-based plans, can get a drug benefit through traditional Medicare, will get new choices in improved Medicare, will be protected by a Government backup plan and substantial resources to make sure the choices are really there, not just on paper but choices that are really there. Seniors get all of this protection unless the Senate obstructs it.

This Medicare bill will protect Medicare for tomorrow's seniors by controlling costs and preserving the system. While the bill provides an unprecedented amount of resources—again, almost one and a half times what President Clinton proposed and a third more than Senate Democrats wanted just 2 years ago—the bill requires that costs be monitored to control spending in excess of \$400 billion. The bill adds competitive forces to drive down costs, reward efficiency, eliminate waste and abuse, and weed out fraud so that Medicare will be preserved for our children. All of this will happen unless the Senate obstructs this measure.

Finally, looking at chart 9, the Medicare bill provides real resources, real benefits, real health, real choice, real protections, real competition, and real cost control. All of those items are in this measure, and we will have a chance to approve it later this week.

After 38 years, seniors will finally get a good prescription drug benefit unless the Senate obstructs it. I think it is the poorest and frailest seniors who will suffer enormously from more obstructionism this time against this Medicare prescription drug bill.

So that is where we are. This is a great new plan that will be before the Senate later this week, an opportunity to really help seniors with prescription drugs for the first time, after years of conversation. Let us not miss that opportunity.

I yield the floor.

RECENT BROADCAST FLAG REGULATIONS

Mr. LEAHY. Mr. President, I rise today to commend the Federal Communications Commission for its continuing work on the important broadcast flag regulations. Over-the-air television remains a critical part of the distribution of American television, and these regulations help to promote and improve over-the-air broadcasting of high quality digital programming. They do this by giving broadcasters the tools they need to protect their digital

broadcasts against piracy. Without this protection, broadcasters would simply not broadcast their high value content over the air, and we would be left with two classes of American consumers: those who can afford, and live somewhere where they can receive, cable television with its high-value content, and those who receive only low-value over-the-air television. We must not allow this to happen.

While I am encouraged by the FCC's progress, and in particular pleased to see that they have taken steps to keep the setting of technical criteria for protective technologies open and transparent, the FCC's recent notice of proposed rulemaking raises some concerns. First, the FCC should make the process inclusive of all parties with an interest in the outcome, especially consumers. Second, a sound final regulation should address the effect of a broadcast flag on fair use rights and works that are already in the public domain. Third, the final regulation should address the broadcast flag's effect on privacy. What is intended as a technological measure to ensure the security of over-the-air broadcasts should not turn into an ability to track viewer behavior. Last, the final regulation must continue to ensure that no one player becomes dominant in this industry, and that the American consumer continues to reap the benefits of innovative new technologies. Most of all, the FCC should not lose sight of the most important goal of these regulations: to provide the highest quality content possible through over-the-air television. I am confident that it will do so.

NOMINATION OF JAMES COMEY

Mr. GRASSLEY. Mr. President, I rise today to state that I object to proceeding to the consideration of executive nominee James Comey to be Deputy Attorney General at the Justice Department.

I have placed a hold on this person because I have been unable to resolve outstanding issues with the Justice Department. I have been working with the Justice Department to get a satisfactory promise to ensure there are no reprisals against certain Justice Department employees in connection with testimony before the Senate Finance Committee. Although I support Mr. Comey's nomination, I intend to reserve my right to object to the Senate proceeding with this nominee of this legislation at this time.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

I would like to describe one such crime today. In protest of a wedding between two men in Seattle, WA, several young men and one adult who call themselves "Deliverance Unlimited" refused to leave a local Christian Church. In the October 25, 2003 incident, the co-pastor of the church asked the protestors to leave, and the group then began verbally assaulting the church staff. One of the protestors, Christopher Dudley, entered the sanctuary and began yelling that the church needed to be cleansed of sin. He then vandalized the church by spraying and wiping oil on the walls and furniture. The co-pastor told police that he was afraid for his own life and the lives of his staff.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

TRIBUTE TO BOB STILLER OF GREEN MOUNTAIN COFFEE ROASTERS

Mr. LEAHY. Mr. President, the Burlington Free Press recently ran a story about expansion plans by Green Mountain Coffee Roasters in Waterbury, VT. The company has begun work on a 52,000-square-foot warehouse and distribution center that will significantly expand manufacturing capacity. Under the leadership of Bob Stiller, Green Mountain Coffee has consistently been rated one of the fastest growing and best managed small public companies in the United States.

Small businesses are the backbone of Vermont's economy, and Green Mountain Coffee has been an outstanding corporate partner in our State for over 20 years. Started in a small café in Waitsfield, VT, in 1981, growing into a publicly traded company in 1993, and now announcing this \$8.4 million expansion in Waterbury, Green Mountain has been a national leader in the specialty coffee market and an international leader in promoting fair trade coffee.

I commend Bob and all the employees at Green Mountain Coffee for their success at not only selling great coffee but also promoting sustainable farming throughout the world. I ask unanimous consent that a copy of the article that appeared in the Burlington Free Press be printed in the RECORD so that all Senators can read about the success of this company.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, Nov. 6, 2003]

GMC HAS EXPANSION BREWING

Green Mountain Coffee Roasters Inc. plans to begin construction this month on a 52,000-square-foot warehouse and distribution cen-

ter in Waterbury in an \$8.4 million project that's intended to also expand the specialty coffee company's manufacturing capacity, the company said Wednesday.

"We are impressed with Waterbury's support, which enables us to expand our facilities in the downtown Waterbury location contiguous to our manufacturing and roasting operations," Green Mountain Coffee Chairman and CEO Robert Stiller said.

Green Mountain Coffee said the company expects to save money over the long term thanks to new automation equipment to be installed in the new building. The additional warehouse space also will allow for more product diversity and eliminate outside storage expenses.

This expansion will mean the company's packaging, warehousing and distribution capacities will match its current coffee roasting capacity of about 40 million to 50 million pounds.

Moving functions into the new building will allow Green Mountain Coffee to increase its packaging capacity in its 65,000-square-foot plant that houses its roasting, warehouse and distribution operations, the company said.

The company expects the building to be finished by fall 2004, and the transfer of distribution and warehousing functions completed by the spring 2005.

"This expansion is critical to our success in executing our long-term growth plans to be the leader in roasting and selling specialty coffee to a broad array of customers," Stiller said.

ADDITIONAL STATEMENTS

TRIBUTE TO MORTIMER CAPLIN

• Mr. WARNER. Mr. President, I rise today to recognize a remarkable man, Mr. Mortimer M. Caplin, on his outstanding legal career as an academic, public servant and distinguished practitioner. Through the years, Mr. Caplin, has been an inspiration to us all and a shining example of what hard work, dedication and perseverance can accomplish.

I feel a special connection with Mr. Caplin as we both graduated from University of Virginia School of Law and both served our country proudly during World War II in the United States Navy. As a undergraduate and law student at the University of Virginia, Mr. Caplin earned a reputation as a hard working student who always had time to lend a helping hand. During his undergraduate career at Mr. JEFFERSON'S University, Mr. Caplin was elected to Phi Beta Kappa while becoming a standout on Johnny LaRowe's great boxing teams of the mid-'30's.

After earning his Bachelor of Science degree, Mr. Caplin went on to the University's law school where he continued his excellent academic career and his affiliation with the University's boxing team. As coach of the First Year team, Mr Caplin instilled in the newly arrived First Years the value of a well rounded education. He also managed to find the time to be selected and serve as Editor-in-Chief of the Virginia Law Review in 1940.

Upon graduation in 1940, Mr. Caplin clerked for Judge Armistead M. Dobie